

Message Text

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46

ACTION IO-10

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NEA-09 SS-15 SP-02 NSC-05 H-01 CIAE-00 DODE-00 INR-07

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TAGS: PORG, AORG, PDIP, UN, AU

SUBJ: UN CONFERENCE ON THE REPRESENTATION OF STATES IN THEIR
RELATIONS WITH INTERNATIONAL ORGANIZATIONS (RSIO) --
ARTICLE 42-50

SUMMARY. COMMITTEE OF THE WHOLE FEB. 21 AND FEB. 23
ADOPTED ARTICLES 42 TO 50, ADHERING IN MOST CASES
CLOSELY TO ILC TEXT. COMMITTEE ADOPTED LATIN
AMERICAN/AFRICAN PROPOSALS TO ALLOW ONE DEL TO
REPRESENT SEVERAL STATES. SOVIETS CONTINUE TO
PUSH FOR GROUPING OF "OBSERVER DELS" WITH REGULAR
DELEGATIONS. WEO EFFORTS TO DELETE ARTICLE 49
AND 50 WERE UNSUCCESSFUL. END SUMMARY.

1. ARTICLE 42 (SENDING OF DELEGATIONS) WAS ADOPTED
WITH AMENDMENT SUBMITTED BY EL SALVADOR, GUATEMALA,
AND IVORY COAST WHICH INTRODUCED CONCEPT THAT TWO
OR MORE STATES MAY SEND SAME DELEGATION TO CONFERENCE
IF PERMITTED BY ORGANIZATION. U.S. DEL SPOKE
IN FAVOR OF RETAINING ILC TEXT, NOTING THAT
THREE POWER AMENDMENT WAS INCONSISTENT WITH
UN PRACTICE. LEGAL COUNSEL SUY STATED THAT
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COMMON PRACTICE WAS AGAINST ONE PERSON REPRE-

SENTING TWO OR MORE STATES BUT NOT OPPOSED TO ONE DELEGATION REPRESENTING SEVERAL STATES. CZECH DEL AMENDMENT TO REFER TO ART. 89 (NON-DISCRIMINATION) WAS REJECTED 13(SOVBLOC)-27 (US)-17. NETHERLANDS SUB-AMENDMENT STATING "WHERE RULES AND DECISIONS OR ORGANIZATION EXPLICITLY SO PERMIT" WAS DEFEATED 18(US) -33 (SOVBLOC, LAS)-10. UK SUB-AMENDMENT WHICH WOULD REQUIRE AS MANY MEMBERS IN DEL AS THAT DEL REPRESENTATION STATES WAS ALSO REJECTED 12(US)-37(SOVBLOC, LAS, HOLY SEE, AFS)-12. EL SALVADOR, GUATEMALA, AND IVORY COAST AMENDMENT WAS THEN ADOPTED BY 44-10(US)-6 AND ENTIRE ARTICLE BY 46-1-14(US). QUESTION WAS PERTINENT SINCE DELS OF EL SALVADOR AND GUATEMALA WERE REPRESENTED BY ONE GUATEMALAN DIPLOMAT. IN LIGHT OF DEBATE ON ITEM NOW, EITHER TWO GUATEMALAN DELS ARE PRESENT, ONE REPRESENTING GUATEMALA, THE OTHER EL SALVADOR, OR, THE GUATEMALAN DEL ONLY REPRESENTS GUATEMALA.

2. ARTICLE B OF ANNEX -- BULGARIA DEL ATTEMPTED TO RAISE CONSIDERATION OF ANNEX IMMEDIATELY. US DEL OBJECTED AND CHAIR RULED BULGARIAN MOVE OUT OF ORDER SINCE COMMITTEE HAD NOT INCLUDED ARTICLES 42-57 IN ITS EARLIER DECISION TO CONSIDER, AS APPROPRIATE, ANNEX WITH PART THREE OF DRAFT ARTICLES.

3. ARTICLE 43 (APPOINTMENT OF MEMBERS OF DELEGATION) WAS ADOPTED AS DRAFTED BY ILC BY VOTE OF 36-0-17(US,WEO). CANADIAN DEL ALONG WITH JAPAN, US, FRENCH DELS EXPLAINED THAT ARTICLE WAS UNACCEPTABLE FOR REASONS GIVEN DURING DEBATE ON ARTICLE 9.

4. ARTICLE 44 (CREDENTIALS OF DELEGATES) WAS ACCEPTED AS DRAFTED. FRG REP ABANDONED ATTEMPT TO OFFER DRAFTING CHANGE AFTER IT WAS CRITICIZED BY SEVERAL DELS AND BY EXPERT CONSULTANT. LIMITED OFFICIAL USE

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5. ARTICLE 45 (COMPOSITION OF THE DELEGATION) AS DRAFTED BY ILC WAS ADOPTED WITHOUT VOTE.

6. ARTICLE 46 (SIZE OF DELEGATION) AS DRAFTED BY ILC WAS ADOPTED BY VOTE OF 61(US)-0-2(FRG,CANADA). US DEL REFERRED TO DEBATE ON ART. 14 AND NOTED THAT AGREEMENT WAS ESSENTIAL BY THREE PARTIES

CONCERNED, E.E. SENDING STATE, HOST STATE, AND ORGANIZATION, PARTICULARLY IN CASES OF CONFERENCES AWAY FROM HEADQUARTERS.

7. ARTICLE 47 (NOTIFICATION) WAS POSTPONED UNTIL AFTER CONSIDERATION OF NEW ARTICLE PROPOSED BY SWISS WHICH WOULD GRANT STATUS OF PERMANENT MISSION TO DELS IF AGREED UPON BY HOST STATE, ORGANIZATION AND STATES CONCERNED. FRG REP TABLED AMENDMENT WHICH WOULD MAKE OPTIONAL MOST NOTIFICATIONS EXCEPT FOR COMPOSITION OF DEL. THIS WAS DEFEATED FEB. 24 BY VOTE OF 8-16-30(US) AND ARTICLE AS WHOLE ADOPTED BY 50(US)-2-4. US TABLED AMENDMENT TO SUBPARA E TO DELETE REFERENCES TO INVIOABILITY OF PREMISES ENJOYED UNDER ARTICLES 54 AND 60. AFTER DISCUSSION US WITHDREW PROPOSAL WITH UNDERSTANDING THAT COMMITTEE SHOULD NOT CONSIDER WITHDRAWAL AS PREJUDICING WHETHER PREMISES MENTIONED IN ARTICLES 54 AND 60 WOULD, IN FACT, ENJOY INVIOABILITY, AND THAT QUESTION WOULD ONLY BE DECIDED IN CONSIDERATION OF ARTICLES 54 AND 60.

8. ARTICLE 48 (ACTING HEAD OF DEL) WAS ADOPTED WITHOUT VOTE.

9. ARTICLE 49 (PRECEDENCE) WAS CRITICIZED BY UK REP AS SUPERFLUOUS AND MISCAST. HE SUGGESTED DELETION. IN VOTE ILC TEXT WAS APPROVED 38-14(US)-9. IN EXPLANATION OF VOTE US DEL VIEWED ARTICLE AS UNNECESSARY IN CONVENTION.

10. ARTICLE 50 (STATUS OF HEAD OF STATE AND LIMITED OFFICIAL USE

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PERSON OF HIGH RANK) GENERATED SERIES OF AMENDMENTS. US DEL ARGUED FOR DELETION OF ENTIRE ARTICLES AS UNNECESSARY, GIVEN EXISTING INTERNATIONAL LAW. US MOVE WAS DEFEATED BY VOTE 16-33(SOVBLOC, LAS)-11. SOVIET AMENDMENT TO INCLUDE COLLEGIAL BODIES IN ARTICLE WAS APPROVED BY VOTE OF 25(SOVBLOC, UK, FRANCE)-6(US)-28. ITALIAN DEL EFFORT TO DELETE REFERENCE TO QUOTE OTHER PERSONS OF HIGH RANK END QUOTE WAS REJECTED BY VOTE 11(US)-32-19. ARTICLE 50 AS AMENDED WAS APPROVED BY VOTE OF 45-2-17(US). HUMES

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